

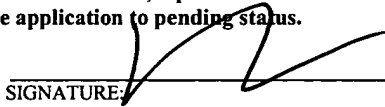
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| FORM PTO 1390 (REV 10-2003) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTORNEY'S DOCKET NUMBER 58143(49077) |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/507461 |
| INTERNATIONAL APPLICATION NO. PCT/US03/30716 | INTERNATIONAL FILING DATE 29 September 2003 | PRIORITY DATE CLAIMED 29 September 2002 | |
| TITLE OF INVENTION METHOD FOR SUBRETINAL ADMINISTRATION OF THERAPEUTICS INCLUDING STEROIDS; METHOD FOR LOCALIZING PHARMACODYNAMIC ACTION AT THE CHOROID OF THE RETINA, etc. | | | |
| APPLICANT(S) FOR DO/EO/US Eugene De Juan, Jr. et al. | | | |

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing 35 U.S.C. 371.
- ☒ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☒ The US has been elected (Article 31).
- ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - ☐ is attached hereto (required only if not communicated by the International Bureau).
 - ☐ has been communicated by the International Bureau.
 - ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - ☐ is attached hereto.
 - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - ☐ are attached hereto (required only if not communicated by the International Bureau).
 - ☐ have been communicated by the International Bureau.
 - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - ☒ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

- ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☒ A preliminary amendment.
- ☒ An Application Data Sheet under 37 CFR 1.76.
- ☐ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
- ☒ A second copy of the published international application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☐ Other items or information:

| U.S. APPLICATION NO. (if known) 10/507461 <small>(37 CFR 1.51)</small> | INTERNATIONAL APPLICATION NO. PCT/US03/30716 | ATTORNEY'S DOCKET NUMBER 58143(49077) | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|---|--------------|---------------------------|------|--------------|---------|---|---|--------------------|-------|---|---|---|--|--|---|--------------------------------------|--|--|--|---|-----------|--|----|--|
| 21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) – (5)): <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT = Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)). | | CALCULATIONS PTO USE ONLY <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;">\$ 770.00</td> <td style="width: 50%;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;">\$</td> <td></td> </tr> </table> | \$ 770.00 | | \$ | | | | | | | | | | | | | | | | | | | | | |
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| \$ | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">CLAIMS</th> <th style="width: 25%;">NUMBER FILED</th> <th style="width: 25%;">NUMBER EXTRA</th> <th style="width: 25%;">RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>28-20 =</td> <td>8</td> <td>x</td> </tr> <tr> <td>Independent claims</td> <td>4-3 =</td> <td>1</td> <td>x</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(s) (if applicable)</td> <td>+</td> </tr> <tr> <td colspan="3">TOTAL OF ABOVE CALCULATIONS =</td> <td></td> </tr> </tbody> </table> | | CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | Total claims | 28-20 = | 8 | x | Independent claims | 4-3 = | 1 | x | MULTIPLE DEPENDENT CLAIM(s) (if applicable) | | | + | TOTAL OF ABOVE CALCULATIONS = | | | | <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;">\$ 770.00</td> <td style="width: 50%;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;">\$</td> <td></td> </tr> </table> | \$ 770.00 | | \$ | |
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| \$ | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;">\$ 500.00</td> <td style="width: 50%;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;">\$</td> <td></td> </tr> </table> | \$ 500.00 | | \$ | | | | | | | | | | | | | | | | | | | | | |
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| \$ | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). | | <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;">\$</td> <td style="width: 50%;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;">\$</td> <td></td> </tr> </table> | \$ | | \$ | | | | | | | | | | | | | | | | | | | | | |
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| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + | | <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;">\$</td> <td style="width: 50%;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;">\$</td> <td></td> </tr> </table> | \$ | | \$ | | | | | | | | | | | | | | | | | | | | | |
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| \$ | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"></td> <td style="width: 50%; text-align: right;">Amount to be refunded: \$</td> </tr> <tr> <td></td> <td style="text-align: right;">charged: \$</td> </tr> </table> | | Amount to be refunded: \$ | | charged: \$ | | | | | | | | | | | | | | | | | | | | |
| | Amount to be refunded: \$ | | | | | | | | | | | | | | | | | | | | | | | | | |
| | charged: \$ | | | | | | | | | | | | | | | | | | | | | | | | | |
| a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>385.00</u> to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>04-1105</u> in the amount of \$ <u>\$115.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>04-1105</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | | | | | | | | | | | | | | | | | | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status. | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SEND ALL CORRESPONDENCE TO: Peter F. Corless EDWARDS & ANGELL, LLP P.O. Box 55874 Boston, Massachusetts 02205 (617) 439-4444 CUSTOMER NUMBER: 21874 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SIGNATURE  NAME <u>Peter F. Corless</u> <u>33,860</u> REGISTRATION NUMBER | | | | | | | | | | | | | | | | | | | | | | | | | | |

10/507461

DT04 Rec'd PCT/PTO 10 SEP 2004

Application No. (if known):

Attorney Docket No.: 58143(49077)

Certificate of Express Mailing Under 37 CFR 1.10

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Susan Dillon

Typed or printed name of person signing Certificate

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Transmittal Letter to the United States Designated-Elected Office

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Application Data Sheet